

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

RICHARD CROSS,

Plaintiff,

v.

COMMISSIONER OF SSA,

Defendant.

§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 5:19-CV-00109-RWS

ORDER

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration.

No objections to the Report and Recommendation were filed. Thus, neither party is entitled to *de novo* review by the District Judge of those findings, conclusions and recommendations, and except upon grounds of plain error, they are barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. 28 U.S.C § 636(b)(1)(C); *Douglass v. United Services Automobile Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

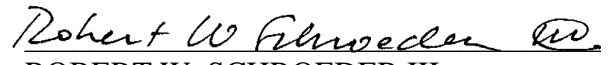
Nonetheless, the Court has reviewed the Magistrate Judge's report and agrees with it. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give to the magistrate’s proposed findings of fact and recommendations ‘such weight as [their] merit commands and the sound discretion of the judge warrants.’”) (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)).

There being no grounds of plain error or manifest injustice, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is

ORDERED that Plaintiff's above-entitled Social Security action is **REVERSED AND REMANDED**. It is further

ORDERED that all motions not previously ruled on are **DENIED**, and the referral order is **VACATED**.

So ORDERED and SIGNED this 24th day of September, 2020.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE